

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**SAVOIL KING and DOROTHY KING,  
for themselves and all Arkansas residents  
similarly situated**

**PLAINTIFFS**

v.

**CASE NO: 3:14CV00183 BSM**

**HOMEWARD RESIDENTIAL, INC., et al.**

**DEFENDANTS**

**ORDER**

Pursuant to plaintiffs' notice of withdrawal of their motion for leave to amend [Doc. No. 85], plaintiffs' motion for leave to amend [Doc. No. 80] is denied as moot. Defendants are directed to file an answer to plaintiffs' unjust enrichment claim [Doc. No. 2] within fourteen days of this order. Fed. R. Civ. P. 12(a)(4)(A); *Broglie v. Mackay-Smith*, 75 F.R.D. 739, 742 (W.D. Va. 1977) (when a court of appeals reverse a district court's Rule 12(b) dismissal, defendant's obligation to file an answer pursuant to Rule 12(a)(1) is revived, and defendant has 14 days from the notification of reversal to file such answer).

The parties' joint motion for entry of scheduling order [Doc. No. 84] is granted and a scheduling order will be entered following this order.

IT IS SO ORDERED this 19th day of August 2016.

  
Brian S. Miller  
UNITED STATES DISTRICT JUDGE